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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,625	01/09/2002	Lin Kuo-Wen	BHT-3212-5	3019

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EXAMINER

YIMAM, HARUN M

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/040,625

Applicant(s)

KUO-WEN, LIN

Examiner

Harun M. Yimam

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Note to Applicant

Art Units 2611, 2614 and 2617 have changed to 2623. Please make all future correspondence indicate the new designation 2623.

DETAILED ACTION

Claim Rejections – 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 - 3 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Connelly (US 6,144,376).

Considering claims 1 and 7, Connelly discloses a digital broadcast system for enabling a viewer linkage to a plurality of internet service providers (see figure 5C wherein channels 9 and 10 display information pertaining to Web Sites linked to distinct internet service providers—column 4, lines 32-67) via a channel remote controller (175 in figures 3B and 4), the channel remote controller being capable of transmitting one of a plurality of channel request signals (commands) in response to the viewer's selection

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(column 4, lines 24-27 and 59-62), each channel request signal corresponding to one of the internet service providers (commands sent from the remote controller requesting to view channels 9 and 10 correspond to an online GAME 1 and www.museum.com respectively from distinct internet service providers—column 4, lines 45-67), said system comprising:

a communication apparatus (400 in figure 4) for receiving the channel request signal (command) transmitted from the channel remote controller (175 in figures 3B and 4), converting the received channel request signal into a corresponding script representing a request to link to the corresponding internet service provider, and transmitting the corresponding script (column 2, lines 22-28 and column 6, lines 49-67);

a broadcast station (a satellite, remote network, etc—column 3, line 62 – column 4, line 3), communicating with the communication apparatus (200 in figure 2 or 400 in figure 4—column 5, lines 15-20), for receiving the corresponding script transmitted from the communication apparatus, executing linkage of the corresponding internet service provider in accordance with the corresponding script, and displaying presentation from the internet service provider being linked (column 3, lines 53-61, column 4, lines 45-59, column 5, lines 49-60 and column 6, lines 42-67); and

a terminal (300 in figures 3B and 4) electrically connecting with the communication apparatus (400 in figure 4) (see figures 4), the broadcast station displaying the presentation of the internet service provider being linked on the terminal via the communication apparatus (column 3, lines 53-61, column 4, lines 45-59, column 5, lines 49-60 and column 6, lines 42-67).

As for claim 2, Connelly discloses that the communication apparatus comprises a memory device (memory and storage devices 203, 204 and 207 in computer system 200 of figure 2 which is the same system as processing unit 400 of figure 4—column 4, lines 15-20) for storing correspondence between the channel request signals and the corresponding scripts.

With regards to claim 3, Connelly discloses that the communication apparatus is embodied as a set-top box (200 in figure 2 or 400 in figure 4—column 5, lines 15-20). (If applicant believes that Connelly does not teach this limitation, claim 3 is alternatively rejected below).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 (*alternatively rejected*) and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Connelly (US 6,144,376) in view of Dureau (2002/0056112).

With regards to claim 3, Connelly discloses that the communication apparatus is embodied as a set-top box (computer system 200 in figure 2 or processing unit 400 in figure 4—column 5, lines 15-20). If applicant believes that Connelly fails to disclose the communication apparatus embodied as a set-top box, then Dureau is brought in to explicitly teach said limitation.

In analogous art, Dureau discloses that said communication apparatus in Connelly (processing unit 400 in figure 4) is a set-top box (Dureau—paragraph 0026, lines 1-7).

Regarding claim 4, Connelly discloses a communication apparatus and a viewer terminal but fails to disclose that the communication apparatus and viewer terminal embodied as a digital television.

In analogous art, Dureau discloses that the communication apparatus and viewer terminal are embodied as a digital television (Dureau—paragraph 0026, lines 1-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Connelly's system to include the communication apparatus and viewer terminal embodied as a digital television, as taught by Dureau, for the benefit of saving space.

5. Claims 5, 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Connelly (US 6,144,376) in view of Dureau (2002/0056112), as applied to claims 1 and 7 above, and further in view of Rezvani (US 7,149,798).

Considering claims 5 and 8, Connelly and Dureau disclose a *software module* that may be executed on said computer system (Connelly—200 in figure 2 or processing unit 400 in figure 4—column 4, lines 1-12) but fail to explicitly disclose that the corresponding scripts are Java scripts.

In analogous art, Rezvani discloses that the corresponding scripts are Java scripts (column 3, lines 36-41 and column 4, lines 33-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Connelly and Dureau to include that the corresponding scripts are Java scripts, as taught by Rezvani, for the benefit of implementing JavaScript so as to create robust user interface components.

As for claims 6 and 9, they are met by the combination of Connelly and Rezvani. In particular, Rezvani discloses that the corresponding scripts are VB scripts (column 3, lines 36-41 and column 4, lines 33-45).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harun M. Yimam whose telephone number is 571-272-7260. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HMY


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